

## Horan, Brian

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**From:** Kleinman, Alan  
**Sent:** Friday, October 28, 2011 9:50 AM  
**To:** 'Gary M. Kushner'; Horan, Brian  
**Cc:** Ronald Coleman; Ari Noe; Curtin, William E. (USTP); Davis, Wayne H.  
**Subject:** RE: OTR signs before the ECB.

Based on a quick look, I do not see 745 Bruckner, 45 Broadway, and 32-72 Gale Avenue on the list of the 18 signs you provided. Please provide more information regarding OTR's connection to these signs.  
 As to the other signs, I have advised DOB to tell its representative at the ECB to not oppose adjournments.

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**From:** Gary M. Kushner [mailto:[gkushner@GoetzFitz.com](mailto:gkushner@GoetzFitz.com)]  
**Sent:** Thursday, October 27, 2011 6:55 PM  
**To:** Kleinman, Alan; Horan, Brian  
**Cc:** Ronald Coleman; Ari Noe; Curtin, William E. (USTP); Davis, Wayne H.  
**Subject:** FW:

Alan, these sites too!!!! gmk

**Gary M. Kushner, Esq.**  
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**From:** Cohen Hochman & Allen [mailto:[coenhochman@gmail.com](mailto:coenhochman@gmail.com)]  
**Sent:** Thursday, October 27, 2011 6:51 PM  
**To:** Gary M. Kushner  
**Cc:** Kleinman, Alan; Horan, Brian; Curtin, William E. (USTP); Davis, Wayne H.; Ari Noe; Ronald Coleman  
**Subject:** Re:

Gentlemen,

Our firm is scheduled to appear at ECB tomorrow Oct 28, 2011 for hearings for sign violations stemming from OTR signage at the following addresses:

945 Zerega Avenue, Bronx, NY  
 745 Bruckner Blvd, Bronx, NY  
 330 Bruckner Blvd, Bronx, NY

Lindsay Garroway  
**Cohen Hochman & Allen**  
 Attorneys at Law  
 80 Maiden Lane  
 Suite 507  
 New York, NY 10038  
 T: 212-566-7081  
 F: 212-566-7406  
[www.ViolationLawyers.com](http://www.ViolationLawyers.com)

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On Thu, Oct 27, 2011 at 6:38 PM, Gary M. Kushner <[gkushner@goetzfitz.com](mailto:gkushner@goetzfitz.com)> wrote:  
 Alan, I am told by our regulatory counsel that despite great effort on their part, the city is intending to go forward with ECB hearings on the following cites leased by the debtor, notwithstanding the record that was made yesterday where we agreed to exchange legal precedents about the application of the stay and if we could not agree on the resolution of the issue, the city would then file a motion for stay relief. If, indeed you intend to go forward, you would violate the terms of our agreement at yesterday's hearing before the bankruptcy court. I respectfully ask that you alert the members of your staff to adjourn these matters consistent with our agreement. If the city proceeds, it will be doing so at its own peril. gmk  
 1. 45 BROADWAY - November 4th, 2011  
 2. 32-72 GALE AVENUE - November 18th, 2011

**Gary M. Kushner, Esq.**  
**Partner**

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